

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

**FRIENDS OF BLUE MOUND STATE
PARK,**

Plaintiff,

vs.

**WISCONSIN DEPARTMENT OF
NATURAL RESOURCES,
STEVEN SCHMELZER,
MELISSA VANLANDUYT,**

Defendants.

Case No. 21-cv-676

DECLARATION OF BRIAN H. POTTS

I, Brian H. Potts, declare as follows:

1. I have personal knowledge of the facts stated herein and, if called upon to do so, could and would testify competently thereto. I state that the following is true and correct to the best of my knowledge and belief.

2. I am employed by Perkins Coie LLP and am an attorney representing Plaintiff Friends of Blue Mound State Park (the “Friends”). My business address is 33 East Main Street, Madison, WI 53703.

3. On August 15, 2022, I sent the Wisconsin Department of Justice an email requesting additional documents to be produced. A true and correct copy of that email is attached hereto as **Exhibit 1**.

4. On August 26, 2022, the Friends submitted a public records request to the Wisconsin Department of Natural Resources. A true and correct copy of that request is attached hereto as **Exhibit 2**.

5. On December 5, 2022, while reviewing the documents produced via the public records request, the Friends found a document containing a statement by one of the primary witnesses in this case, Missy VanLanduyt. A true and correct copy of that document is attached hereto as **Exhibit 3**.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct to the best of my knowledge.

Executed on December 14, 2022

By: /s/ *Brian H. Potts*

Brian H. Potts